

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

NIKKI BOLLINGER GRAE, Individually and)	Civil Action No. 3:16-cv-02267
on Behalf of All Others Similarly Situated,)	
)	Honorable Aleta A. Trauger
Plaintiff,)	
)	STIPULATION AND [PROPOSED] ORDER
vs.)	REGARDING PRODUCTION OF
)	DOCUMENTS BY THE BUREAU OF
CORRECTIONS CORPORATION OF)	PRISONS
AMERICA, et al.,)	
)	
Defendants.)	
_____)	

WHEREAS, Lead Plaintiff and Class Representative Amalgamated Bank, as Trustee for the LongView Collective Investment Fund, served a subpoena (the “Subpoena”) directed to the United States Bureau of Prisons (the “BOP”) on or about March 6, 2018;

WHEREAS, since service of the Subpoena, Plaintiff and the BOP have engaged in various discussions regarding the production of documents in response to the Subpoena;

WHEREAS, the BOP has agreed to produce, in response to the Subpoena and subject to appropriate protections, copies of the documents submitted to the Office of the Inspector General of the U.S. Department of Justice (the “OIG”) by the BOP in connection with the OIG’s review of the BOP’s use and monitoring of private prisons; the BOP’s complete contract files relating to the contracts between Corrections Corporation of America/CoreCivic (“CCA”) and the BOP regarding the management of the Adams County Correctional Center, the Cibola County Correctional Center, the Eden Detention Center, the McRae Correction Facility and the Northeast Ohio Correctional Center; and backup tapes containing Groupwise e-mails from the Eden Detention Center that were provided to the BOP by CCA when the Eden Detention Center contract was terminated (collectively, the “Subject Documents”), and Plaintiff and the BOP are continuing to confer about the details of production of additional documents, including e-mails within the BOP’s Privatization Management Bureau and the Contract Facility Monitoring Branch;

WHEREAS, the Subject Documents may include information that may be protected under the Privacy Act of 1974 (5 U.S.C. §552a) or as Source Selection Information (48 C.F.R. §3.104-4);

WHEREAS, Plaintiff and the BOP have conferred and agree that the Stipulation and Protective Order entered on February 12, 2018 (ECF No. 86) will, once amended as proposed in the Stipulation and Proposed Order Amending Protective Order to Protect Source Selection Information that is being filed contemporaneously with this Stipulation, provide sufficient confidentiality

protections to permit production of the Subject Documents consistent with the Privacy Act and with protection of Source Selection Information; and

WHEREAS, the Privacy Act requires that the Court specifically authorize the BOP to release the Subject Documents;

NOW, THEREFORE, it is stipulated and agreed, by and between Plaintiff and the BOP, subject to the approval of the Court, that:

1. Promptly following entry by the Court of the Stipulation and Proposed Order Amending Protective Order to Protect Source Selection Information, the BOP shall produce to Plaintiff the Subject Documents; and

2. The Subject Documents, and any information derived from the Subject Documents (including, without limitation, any documents or data that are recovered or extracted from the Eden Detention Center backup tapes), shall be treated as Confidential or, if so designated by the BOP, as Source Selection Information, subject to the Stipulation and Protective Order, as amended by the Stipulation and Proposed Order Amending Protective Order to Protect Source Selection Information.

DATED: August 28, 2019

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* * *

ORDER

IT IS SO ORDERED.

DATED: _____

THE HONORABLE ALETA A. TRAUGER
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on August 28, 2019, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Christopher M. Wood

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